REMARKS

Claims 1-2 and 5-14 are all the claims pending in the application. Applicants amend claim 13. This claim amendment is at least supported by page 4, line 31 to page 5, line 17 of the Applicants specification.

Claim rejections under 35 U.S.C. § 112, first paragraph

Claim 14 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants traverse the rejection for at least the following reasons.

Claim 14 recites, "wherein the particular equipment type is selected based on their capacity." At least on page 4, line 31 to page 5, line 4 Applicants' specification describes:

> The equipment rules are used to model how the rules must be adapted or selected for a particular equipment type. This is because two network equipments can have different capacities, even if they are functionally identical. Their capacities may depend on the network equipment manufacturer, or differ between different models in the range of the same manufacturer. For example, some equipment (such as routers) can optionally support the MPLS technology. The equipment rules RE can take this into account, so that the management system chooses the right implementation.

Since the specification clearly describes that the equipment rules can take capacities into account, claim 14 does comply with written description requirement. In view of the above, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. § 112, first paragraph rejection of claim 14.

Claim rejections under 35 U.S.C. § 112, second paragraph

Claim 13 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In view of the amendment to claim 13 to clarify the claimed feature, Applicants respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 112, second paragraph.

Claim rejections under 35 U.S.C. § 103(a)

Claims 1-2, 5-10 and 13 are rejected under 35 U.S.C. § 103(a)as allegedly being unpatentable over Galis et al. (U.S. Patent No. 5,175,800) in view of Carter (U.S. Patent No. 7,130,898).

Claim 11 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Galis and Carter in view of Newton (Newton's Telecom Dictionary, VPN, page 982,983).

Claim 12 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Galis and Carter in view of Ballantine et al. (U.S. Patent No. 6,446,123).

Claim 14 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Galis and Carter in view of Abaye et al. (U.S. Patent No. 7,024,475; hereinafter "Abaye").

Applicants traverse the rejection for at least the following reasons.

In the arguments submitted with the August 25, 2008 Amendment, Applicants argued that Galis and Bimm do not teach or suggest the features of "said implementation rules for

creating said service comprise technology rules and equipment rules, and wherein the technology rules model expert know-how and specify how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service."

In response, the Examiner maintains that Galis discloses these features discussed above. Further, the Examiner cites Carter for allegedly disclosing means for acquiring policy rules for configuring said service, wherein said policy rules comprise services rules which create a service in the network. Moreover, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate invocation of a service, as taught by Carter, into the system of Galis for the purpose of simplifying the invocation of a service (Carter, Column 2, lines 50-56). Applicants disagree with the Examiner for at least the following reasons.

Applicants respectfully submit that Galis is directed to creating and configuring a network. However, Galis does not teach or suggest creating a service using implementing rules that comprise technology rules and equipment rules. In fact, Galis simply discusses creating a new network and using human user 912 inputs and the expert systems 918 for creating the new network (column 46, lines 40-65).

On the other hand, Carter is directed to a mechanism for facilitating the invocation of a service. According to Carter, an application proxy comprises a proxy engine and one or more sets of protocol logic. Each set of protocol logic implements a particular protocol that may be used to invocate service on service applications (column 2, lines 56-65). More specifically,

when a user defines an activity that calls for the invocation of a service, the user provides a service definition for the service (column 3, lines 15-17 of Carter).

The Examiner contends that it would have been obvious to combine Galis and Carter for the purpose of simplifying the invocation of a service. However, since Galis does not even teach or suggest creating a service using service rules and implementation rules, one of ordinary skill in the art would not have been motivated to modify the teaching of Galis to incorporate the features of invocation of a service disclosed in Carter. That is, the Examiner's reasoning for combining Galis and Carter is based on the features that are only disclosed in Carter (i.e., to include invocation of service to simplify invocation of service). As such, there is no suggestion for modifying the teachings of Galis as asserted by the Examiner. Moreover, Applicants submit that the phrase "simplifying the invocation a service" is broad and vague, and does not convey how incorporating invocation of service of Carter into Galis simplifies invocation of a service.

Furthermore, Applicants respectfully submit the even if, *assuming arguendo*, the teaching of Galis and Carter were combined as suggested by the Examiner, the resulting system of the combination still does not teach or suggest all the features recited in the claim.

In particular, Applicants respectfully submit that the cited portions of Galis does not disclose "implementation rules for creating said service comprise technology rules and equipment rules, and wherein the technology rules model expert know-how and specify how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service" for at least the same reasons discussed in the Amendment filed August 25, 2008.

For instance, in the Abstract, Galis discloses a configuration expert system that allows a user to define and maintain a communications network requirements database for (re)configurations of a communications network. In column 14, lines 15-35, Galis discloses a network database 908 that maintains information on all ends 502 of the communication network 500 and the physical inventory of the communications network sub-components. In column 24, lines 8-16, Galis discloses that the configuration domain database is represented by a set of rules which constitute the knowledge base. In column 46, lines 58-66, Galis discloses that a human user supplies certain based network parameters and the expert system 918 creates the reset. Also, column 47 lines 16-29 discloses that an initial configurations can be produced for a new network (not a service as recited in the claim) in accordance with the user's requirements and creating the complete configurations on its own. However, none of these portions disclose anything about implementation rules comprising technology rules and equipment rules and the technology rules specifying **how to determine technology to use in the service** being created **based on stored attributes of equipment in the network and stored attributes of the service.**

That is, even though the Examiner points to Galis for disclosure of certain rules and configuration information stored in database, these portions do not disclose anything about rules that specify how to determine technology to use.

For instance, FIG. 9C discloses three entities (building blocks) in sequence of operation according to Galis. These entities are:

(1) a requirements database 916 which is able to maintain complete information of the ends 502 of the communication network 500 and their connectivity.

(2) a configuration database 914 which is able to maintain the physical inventory aspect of the communication network 500.

(3) an expert system 918 which takes user requirement from the configuration database and outputs expert configuration data for communication network 500 (column 11, lines 40-60).

However, these entities that maintain information about the ends of the network and inventory of the network do not teach or suggest technology rules and equipment rules. Further, they do not teach or suggest that the technology rules specifying how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service.

Lastly, Carter also does not teach or suggest these features missing in Galis.

In view of the above, Applicants respectfully submit that claim 1 is allowable over the cited reference.

Claims 2, 5-10 and 13

Applicants respectfully submit that dependent claims 2, 5-10 and 13 are allowable at least by virtue of their dependency and the additional features recited therein.

Claim 11, 12 and 14

Applicants respectfully submit that since Newton, Ballantine and Abaye do not cure the deficiencies discussed above regarding claim 1 and since claims 11, 12 and 14 depend from claim 1, these claims are allowable at least by virtue of their dependency and the additional features recited therein.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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